

APPENDIX E

COMMENTS ON THE DRAFT AUAR

RESPONSES TO COMMENTS ON THE DRAFT AUAR

November 13, 2001

Clark Arenson, Planning Manager
City of Bloomington
2215 West Old Shakopee Road
Bloomington, MN 55431



RE: *City of Bloomington Airport South District AUAR - draft document*

Dear Mr. Arenson:

Thank you for the opportunity to comment on the above document.

In brief, my comments concern the following areas of the draft document:

- page 87, para. 5: When such consultation is required, the Section 106 regulations direct that *"Consultation with an Indian tribe must recognize the government-to-government relationship between the Federal Government and Indian tribes. The agency official shall consult with representatives designated or identified by the tribal government ..." (Sec. 800.2 [c][2] [ii] [C]). Consultation with state agencies such as the Minnesota Indian Affairs Council (MIAC) is not indicated under this section, and is not a surrogate for consulting with tribal governments directly.*

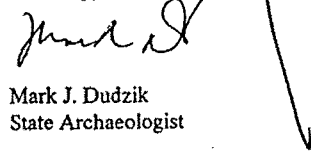
Further, it is the Office of the State Archaeologist (OSA) which represents the State directly in undertakings by agencies or subdivisions of state government which may impact state sites (MS 138.35: *"The state archaeologist shall act as the agent of the state to administer and enforce the provisions of sections 138.31 to 138.42"*). Parties are specifically directed to consult with the OSA regarding such projects; OSA is directed to further consult with third parties, as needed.

- page 88, para. 3 (cf. also page 101): Per Minnesota Statutes (307.08, subd.3a), the OSA is solely authorized to conduct investigations to authenticate such reported burial/mound areas, and it is the OSA, not third parties such as MIAC, which determines the need and methods for assessing such sites.

Additionally, this paragraph indicates that the OSA will conduct a survey to identify additional, unrecorded archaeological resources associated with the project/parcel, and assess their potential relationship with area burials (if any should be identified in the first place). OSA will not be conducting such survey.

Do not hesitate to contact me if you require additional information or clarification regarding this matter.

Sincerely,



Mark J. Dudzik
State Archaeologist

cc: Jennie Ross, SRF

Port Snelling History Center, St. Paul, MN 55111; Voice: 612.725.2411; Fax: 612.725.2427; Web: www.admin.state.mn.us/osa

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December 7, 2001

Mr. Robert Sharlin
Planning & Economic Development Division
City of Bloomington
2215 West Old Shakopee Road
Bloomington, MN 55431-3096

RECEIVED
DIVISION OF CITY PLANNING
DEC 10 2001
CITY OF BLOOMINGTON
MINNESOTA

Re: Kelley Farm n/k/a Spruce Shadows Farm, Bloomington (the "Property")
Our File No. 20,818-D-004

Dear Mr. Sharlin:

As you know, the Bloomington Planning Commission delayed action on our client's proposal for Spruce Shadows Farm pending the outcome of the Airport South Alternative Urban Areawide Review (AUAR). While it is possible that some minor modifications to the AUAR may result from the public comments currently being received by the City of Bloomington, it appears that the AUAR is essentially complete.

Our client is interested in moving the proposal for Spruce Shadows Farms forward as soon as possible. To accomplish that, we would request that you place the Project on the agenda for the next Planning Commission Meeting. We would be willing to condition the approval of the Project subject to the final approval of the AUAR which should occur early in 2002. If we can have a hearing at the next Planning Commission Meeting, we will know whether there are any other issues which need to be addressed other than those which will be resolved by an approved AUAR.

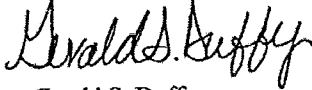
We would again request that you provide us with any information the City of Bloomington receives concerning the AUAR or Spruce Shadows Farms. Also, at the meeting Tuesday, December 4, 2001, you mentioned that the City had received written comments from the State archeologist. We would like a copy of his comments.

December 7, 2001

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If you need any information prior to the Planning Commission Meeting, please contact me.

Very truly yours,



Gerald S. Duffy

GSD/jmh

cc: Hampton O'Neill, Esq.
James O'Neill, Esq.
Timothy Dwyer, Esq.
Cynthia O'Neill



Minnesota Department of Transportation

Office Memorandum

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December 12, 2001

TO: Clark Arneson, Planning Manager
City of Bloomington

FROM: Jim Swanson, Assistant Commissioner/ Assistant Chief Engineer

SUBJECT: Airport South District-- Mn/DOT Review # AUAR01-011
East of Trunk Highway 77 and South of Interstate 494
Bloomington, Hennepin County
Control Section 2785

The Minnesota Department of Transportation (Mn/DOT) has reviewed the above referenced Alternative Urban Areawide Review (AUAR). This technical review is in addition to the comments contained in the attached 12/10/2001 letter addressed to Mayor Gene Winstead. Please address the following issues before any further development:

- The State standard for runway 17/35 safety zones is not adequately addressed in the AUAR. The City should consult the State Model Ordinance for Minnesota Airports for the necessary information. While some minor changes to these standards may result from the MSP Joint Airport Zoning Board process, we feel it is unreasonable to completely ignore a major MSP runway that is scheduled to open in November 2003. We suggest two alternatives: 1) Complete the AUAR process using the State safety zone standards and noise and air quality analyses, and later modify the AUAR to incorporate the MSP Joint Zoning Ordinance details or 2) Postpone the AUAR process until after the completion of the MSP Zoning Ordinance. Please contact Michael Louis (651-296-9869) in Mn/DOT's Aeronautics sections for additional information.
- The "Summary of Planned/Programmed Roadway Improvements" (Table 2) should reflect the following corrections:
 - #2 77th Street is not scheduled to be completed to 24th Avenue.
 - #4 77th Street (adding northern ramps, closing the Diagonal and Boulevard) are

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not scheduled.
#7 The Lyndale Avenue interchange reconstruction is scheduled for 2005.

Please note that there are no major improvements to either Trunk Highway 77 or Interstate 494 in the immediate area planned or scheduled beyond 2011. Also, it is assumed that an added lane to I-494 will be an HOV lane (page 61 of the document). It is not likely that the added lane will be an HOV lane and the AUAR's TDM measures should be modified to reflect this scenario. Please contact Wayne Norris (651-582-1295), Area Engineer, with questions regarding this information.

- For your information, the right of way acquisition process requires approximately fourteen months from the time that staff has approved a layout and construction limits. Please contact Mike Schadegg (651-582-1279) in Mn/DOT's Right of Way section for more information.
- The proposed development will need to maintain existing drainage rates (i.e., the rate at which storm water is discharged from the site must not increase). The City or project developer will need to submit before/after hydraulic computations for both 10 and 100 year rainfall events verifying that all existing drainage patterns and systems affecting Mn/DOT right of way will be perpetuated. There appears to be some issues with Pond C, as proposed. Mn/DOT encourages directing flow from Pond C. Any changes to Pond C will require a drainage permit. Please direct questions concerning these issues to Don Berre (651-634-2406) of Mn/DOT's Water Resources section.
- Any future use of or work within Mn/DOT right of way requires a permit. Please direct questions regarding permit applications to Keith Van Wagner (651-582-1443) of Mn/DOT's Permits section.
- As a reminder, 77th Street west of TH77 is City of Richfield MSA route #108; 66th Street west of TH 77 is County of Hennepin CSAH route #53; 79th Street is City of Bloomington MSA route #399; 80th Street is City of Bloomington MSA route #385; Lyndale Avenue South of I-494 is City of Bloomington MSA route #415; Lyndale Avenue north of I-494 is City of Richfield MSA route #363; 34th Avenue south of I-494 is City of Bloomington MSA route #128; 28th Street is City of Bloomington MSA route #431; 81st Street is City of Bloomington MSA route #444; 24th Avenue is County of Hennepin CSAH route #1; and 80th Street is City of Bloomington MSA route #432.

Any work on a MSA or CSAH route must meet State Aid rules and policies. Also, the City or County must review any changes to its Municipal or County State Aid system so that they stay within its system limitations. You may obtain additional information regarding State Aid rules and policies in any of the following ways:

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- <http://www.dot.state.mn.us/stateaid/> shows or has links to the applicable forms and the Mn/DOT State Aid Manual.
- Refer to the Mn/DOT State Aid Manual, Chapter 5-892.200 for information regarding standards and policies.
- Please go to <http://www.revisor.leg.state.mn.us/arule/8820/> for information regarding State Aid Operations Rules Chapter 8820.
- For driveway standards, the designer is directed to refer to the Mn/DOT Road Design Manual (English) Table 5-3.04A and Figure 5-3.04A for guidance and policies. Driveway widths, other than those recommended, up to 50 feet will be permitted only by special permission of the Commissioner of Transportation or designee.

Please contact Jim Deeny in our State Aid section at (651) 582-1389 with any additional questions.

- Mn/DOT's policy is to assist local governments in promoting compatibility between land use and highways. Residential uses located adjacent to highways often result in complaints about traffic noise. Traffic noise from this highway could exceed noise standards established by the Minnesota Pollution Control Agency (MPCA), the U.S. Department of Housing and Urban Development, and the U.S. Department of Transportation. Minnesota Rule 7030.0030 states that municipalities are responsible for taking all reasonable measures to prevent land use activities listed in the MPCA's Noise Area Classification (NAC) where the establishment of the land use would result in violations of established noise standards.

Mn/DOT policy regarding development adjacent to existing highways prohibits the expenditure of highway funds for noise mitigation measures in such areas. The project proposer should assess the noise situation and take the action deemed necessary to minimize the impact of any highway noise. If you have any questions regarding Mn/DOT's noise policy please contact Peter Wasko in our Design section at (651) 582-1293.

Enclosure

Copy: Gerry Larson, Mn/DOT
 Rob Wied, Hennepin County
 Bob Byers, Hennepin County
 Jennie Ross, SRF Consulting Group
 Mn/DOT Division File - C.S. 2785
 Mn/DOT LGL - Bloomington

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Metropolitan Council

Building communities that work

December 12, 2001

Mr. Clark Arneson
Planning Manager
City of Bloomington
2215 West Old Shakopee Road
Bloomington, MN 55431

RE: City of Bloomington – Airport South District Alternative Urban Areawide Review
Metropolitan Council District 5 (Phil Riveness, 952-841-9827)
Metropolitan Council Referral File No. 18655-1

Dear Mr. Arneson:

Metropolitan Council staff has conducted a review of the Draft Alternative Urban Areawide Review (AUAR) for the Airport South District in Bloomington. The Airport South District is a 2,350-acre site, extending from Interstate 494 to the north and Cedar Ave/Trunk Highway 77 on the west to the Minnesota River on the east and south. The development scenario presented in the Airport South AUAR includes the proposed expansion of the Mall of America and five other redevelopment sites, including the Mall of America adjoining lands, the Runway Protection Zone for the new north-south runway, the Robert Muir property, the Health Partners campus, and the Kelley farm site. The Council staff review has concluded that the AUAR raises the following concerns and requests that the city address the following issues in the Final AUAR (FAUAR).

Item 5 – Project Location

The FAUAR should identify the areas affected by the RPZ safety zones and land being acquired by the Metropolitan Airports Commission (MAC) as part of the airport noise mitigation program. Specifically, Figures 3 should identify land that is included in either of these areas.

Item 6 – Description

Page 7, "Airport South AUAR Development Scenario" should identify that this is the preferred or selected development scenario to better distinguish this proposal from earlier drafts that looked at several land use and transportation development scenarios. The final AUAR should also clarify the land swap process in the description of the selected development scenario.

Table 1, on page 8 of the draft AUAR, should include an additional footnote that identifies potential land use changes in the remainder of the Airport South district due to MAC acquisitions as part of the noise mitigation program. Figures 5 and 6 should be revised to identify potential land use and zoning changes for these areas.

Item 8 – Permits and Approvals Required

The city must submit an amendment to the city's Comprehensive Plan 2000 to include the Airport South District as stated in the April 2001 review report for the comprehensive plan update. The FAUAR should

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include the Council's review of the comprehensive plan amendment on page 16, under required permits and approvals for development scenario projects. The amendment should include all of the items identified in the review report including but not limited to land use, sewer projections, and transportation impacts. See Items 18 and 21 for additional information.

The city's comprehensive plan aviation element includes references to the federal and state airport safety zoning and the system statements related to the runway safety zone for runway 17/35. The Airport South AUAR reflects some level of implementation of these planning considerations. However, the city will need to revise the FAUAR and amend the comprehensive plan to include further refinement of the safety zoning for the Airport South District by the Joint Airport and Community Zoning Board.

Item 9 – Land Use

The AUAR indicates that the land use designations and zoning controls for the Airport South District date back to before the Comprehensive Plan 2000 update. The land use analysis and formulation of a revised Airport South District 2000 land use plan would be based on land use and intensity restrictions for the Federal Runway Protection Zone (RPZ) and state transition safety zones for the new Minneapolis-St. Paul (MSP) Airport north-south runway (Runway 17-35). As part of the review for the Comprehensive Plan 2000, the Council report stated that the city would update its comprehensive plan for the Airport South district based on the results of this AUAR.

Of specific concern is the Spruce Shadow (Kelley) Farm development proposal to develop the 60-acre site with 6 residential units and 2 office buildings. The development, as proposed, is likely to be located within the state land use safety Zones A and B and within the MSP Noise Policy Area – Noise Zone 2. No structures are allowed in Zone A, and certain uses are prohibited or have density restrictions in Zone B. Current allowable height is 130 feet above ground (assuming a 34:1 approach slope) at the site, which is at 5,300' from the runway end to the nearest part of Zone B. The update of the MSP airport zoning ordinance will assess an approach slope of 50:1 and 64.5:1 which could lower the maximum allowable height of structures in Zone B and subsequently, the Kelley Farm site.

The Kelley Farm site is also located in an area that will receive substantial noise impact and would require noise insulation. However, all residential type development should first be discouraged in this area due to the expected sustained noise levels. This is especially important since this is a high noise area that is being addressed under the MSP Part 150 Program Update. As part of the MSP Noise Mitigation Program, existing residential properties are being acquired in this area. To develop new residential housing on this parcel would not be consistent with the noise mitigation program developed for the MSP 2010 Plan.

Item 17 – Water Quality – Surface Water Runoff

The AUAR adequately analyzes the impacts from the proposed development on water resources in the Airport South area. The AUAR identifies a number of actions that are needed in order to mitigate the impact of the proposed development and redevelopment on the water resources in the area, particularly the Minnesota River. The AUAR recognizes that Pond C, which accepts runoff from the majority of the site, is undersized for the drainage area. The city is committed to increasing the removal efficiency of this pond, which must take place before or concurrent with the development of this area. The AUAR also

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indicates that all development in this area will require water management design features that provide water quality improvements and control the rate of runoff coming from these sites. The city should ensure that the requirements, as outlined in this AUAR, are followed as development occurs. Finally, the city is committed to evacuating the use of alternative storm water treatment systems, e.g. infiltration basins, in conjunction with planned new development in the watershed.

The city should consider referencing the following publications, which provide an excellent framework in evaluating alternative stormwater treatment systems, when completing the actual development design:

- *Low Impact Development Design Strategies: An Integrated Design Approach* by Prince George's County, Maryland.
- *Better Site Design: A Handbook for Changing Development Rules in Your Community* by the Center for Watershed Protection, Ellicott City Maryland.
- The Council has also developed a Best Management Practices manual that is available on the Council's web site at www.metrocouncil.org for use in designing storm water systems.

Item 18- Water Quality - Wastewaters

The AUAR for the proposed Airport South District does not provide sufficient information to assess the potential impacts of the project to the Metropolitan Disposal System (MDS). The FAUAR should include additional information that outlines sanitary sewer flow projections from the project, in either average daily flow volumes or annualized volumes, and represents the ultimate total discharge from the Airport South District.

Item 21 - Traffic

The development, as proposed in the AUAR, will increase travel demand on the regional highway system, as compared to the no-build scenario, resulting in slightly higher levels of congestion. The city should work to further decrease travel demand within the Airport South District, as well as other areas of the Bloomington I-494 Strip. The AUAR also states that "The City of Bloomington requires preparation of a TDM plan for developments 300,000 square feet in size or larger." The city should consider developing a means of working with all employers, new and existing, of all sizes to reduce trips and build on the work already done by Hennepin County in the Interchange West Transit Study.

The Transportation Element of the city's comprehensive plan will need to be amended and reviewed by the Council to ensure that the impacts of the proposed development of the Airport South District, as proposed in the AUAR, are addressed, per Council recommendations made on the Bloomington Comprehensive Plan Update.

The Land Use element of the plan excludes two areas of the city: The Airport South District and the France and Old Shakopee Road Area. These two areas were excluded from the plan as studies affecting land use designations are still underway. When final land use plans are identified for these two areas, the affect on the transportation system for the entire city will need to be assessed and documented.

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The AUAR appropriately addresses the need to request a FAA airspace review that deals with the runway 17/35 RPZ area. However, the FAUAR should provide additional comments on the road improvements identified in the draft AUAR. Specifically, the FAUAR should address height limits for TH77/I-494 interchange and selection of a storm water drainage option for areas east of TH77. The city should reference the Final Environmental Impact Statement for the I-494 Reconstruction for further information and the comments provided by the Council.

Item 21 – Traffic – Transit

Pages 59 and 60 of the AUAR need to be updated to include more current information. The "M's" in front of routes 54 and 80 should be taken out of the second paragraph on page 60. Table 12 should be revised as follows to show the number of departures. The underlined text should be added and struck text should be deleted from Table 12:

Route	Number of Buses Departures	Route	Number of Buses Departures
B-E Line	27	440	<u>6-12</u>
M-15	<u>19-26</u>	441	2
M-19	<u>41-51</u>	442	<u>16-19</u>
445	<u>13-16</u>	444	<u>16-20</u>
M-5	<u>38-52</u>	446	2
52A	3	<u>590-540</u>	<u>10-6</u>
M-7	<u>44-52</u>	880	<u>14-17</u>
<u>M-72M-449</u>	<u>3-5</u>	890	<u>14-17</u>
<u>80-180</u>	<u>42-54</u>	<u>S-4-84</u>	<u>30-34</u>
428	11	415	6
		S-54	<u>29-39</u>
		Total	<u>386-429</u>

Item 25 – Sensitive Resources – Designated Parks, Recreation Areas or Trails

This item should be checked yes. The Airport South District includes a portion of the Minnesota Valley National Wildlife Refuge and Recreation Area (MVNWRRA). The MVNWRRA is a significant part of the region's open space system and therefore impacts to this resource should be included in the final AUAR for the Airport South District. Of particular concern is the preservation of water quality and wildlife habitat. The development as proposed in the AUAR will affect the MVNWRRA and therefore the final AUAR should identify potential negative impacts to this area and include a plan to mitigate those impacts.

The AUAR does not identify any regional trail facilities as part of the development proposal for the Airport South district. The city may want to consider providing for bicycle and pedestrian friendly access within the project area as well as to connect to facilities beyond the project boundaries. The proposed development would benefit the large number of people living, working and shopping in the area if pedestrian access to the natural areas of the bluffs and the MVNWRRA was incorporated into the project

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design. For example, the city may consider greenway connections to the MVNWRR and the bluff, internal parks and open space, or road improvements along the bluff to create a parkway.

Item 25 – Sensitive Resources – Scenic Views and Vistas

This item should also be checked yes. The bluffs and river area are important natural features that provide scenic views over the Minnesota River Valley and the MVNWRR. Although the AUAR provides extensive information about stormwater management and bluff protection, as reviewed and commented on above, there are several issues that should be addressed in the FAUAR. The FAUAR should include a mitigation plan that preserves the natural state of the native vegetation and habitat to maintain the visual integrity of the river valley and bluffs, both visible from within the Airport South District and from the MVNWRR, Fort Snelling State Park and the I-494 and Cedar Avenue bridges. The city should consider native vegetation management with the addition of native plantings where it is appropriate and the control of exotic species, such as buckthorn. Native vegetation should be used throughout the project area to the extent possible to manage storm water and erosion, provide habitat value and reduce the amount of watering, fertilizer and chemicals required.

This concludes the Council's review of the draft AUAR for the Airport South District. The Council will take no formal action on this document. Council staff recommends that the city evaluate and address the comments contained herein before distribution of the FAUAR and mitigation plan documents. If you have any questions or need further information, please contact Robin Cauffman, Principal Reviewer, at 651-602-1457 or by e-mail at robin.cauffman@metc.state.mn.us.

Sincerely,

Caren Dewar
Deputy Regional Administrator

cc: Phil Riveness, Metropolitan Council District 5
Jon Larsen, Environment Quality Board
Eli Cooper, Director, Planning and Growth Management
Phyllis Hanson, Manager Planning and Technical Assistance
Robin Cauffman, Principal Reviewer/Sector Representative
Cheryl Olsen, Referrals Coordinator

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METROPOLITAN AIRPORTS COMMISSION

Minneapolis-Saint Paul International Airport
6040 - 28th Avenue South • Minneapolis, MN 55450-2799
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December 12, 2001

Mr. Clark Arneson
Planning Manager
City of Bloomington
2215 West Old Shakopee Road
Bloomington, MN 55431-3096

BY FACSIMILE AND U.S. MAIL

Re: **Comments On The Airport South District Draft Alternative Urban Areawide Review And Draft Mitigation Plan**

Dear Clark:

We have received and reviewed the *Airport South District Draft Alternative Urban Areawide Review*, dated November 2001 ("Draft AUAR"), for which the City of Bloomington ("City") is the Responsible Governmental Unit, and the *Airport South District AUAR Draft Mitigation Plan* attached to the Draft AUAR as Appendix F ("Draft Mitigation Plan"). The Metropolitan Airports Commission ("MAC") makes the following comments on the Draft AUAR and the Draft Mitigation Plan.

Draft AUAR Comments

1. **Item 18 Water Quality – Surface Water Runoff.** On page 43 under the subsection entitled Regional Water Quality Ponding Issues, the Draft AUAR states that United States Fish and Wildlife Service staff asked the City to consider, and City staff has agreed to consider, the feasibility of incorporating infiltration basins when reviewing proposed development plans in Airport South. In this discussion, the Draft AUAR fails to address the proximity of such facilities to the new Runway 17-35 at Minneapolis-St. Paul International Airport ("MSP") and the resulting potential for bird strikes on aircraft. The MAC is concerned that any surface pond or infiltration basin above the bluff in the Airport South District increases the potential for bird strikes. When Runway 17-35 opens in late 2004, the Airport South District will experience a major increase in daily overflights by aircraft approaching and departing the new runway. Ponds above the bluff in the Airport South District will attract birds, including ducks and geese. This increases the risk of bird strikes on approaching or departing aircraft. The MAC favors addressing surface water runoff from the Airport South District by modifying and expanding the regional treatment ponds below the bluff. The MAC opposes the use of ponds or infiltration basins above the bluff in the Airport South District for reasons associated with airport operational safety.

The Metropolitan Airports Commission is an affirmative action employer.
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2. **Item 24 Odors, Noise And Dust.** On pages 85 and 86 under the subsection entitled Airport Noise, the Draft AUAR discusses the compatibility of proposed developments in the Airport South District with noise from aircraft using Runway 17-35 at MSP. Given the significant environmental impact of increased aircraft noise from Runway 17-35, the MAC believes the discussion presented in the Draft AUAR is inadequate. No map showing the projected DNL noise contours is presented. With the exceptions of the condominium use on the Met Center property and the residential development on the Kelley property, the Draft AUAR does not compare each expected major development in the Airport South District to the noise contours, discuss its compatibility with expected aircraft noise levels nor describe specific mitigation measures which may be necessary or required for that project.

3. **Item 24 Odors, Noise And Dust.** On pages 86 under the subsection entitled Airport Noise, the Draft AUAR discusses the compatibility of building 931 residential units on the Kelley property and states this project is acceptable provided certain noise mitigation measures are employed. The MAC strongly disagrees with this conclusion for several reasons.

(a) The Draft AUAR does not accurately and completely describe the Metropolitan Council's noise compatibility guidelines as they apply to residential projects in the 70-75 DNL noise contour. First, the Draft AUAR states that multiplex residences in this noise zone are provisionally acceptable, which is only partially correct. Single units and multiplex residential units with single entrances (e.g., townhomes) are inconsistent and not permitted; multiplex and apartment residential units with shared entrances are provisionally acceptable if they meet structure noise performance standards. See, Aviation Policy Plan December 1996, p. 62 and Table 7. Second, the Draft AUAR also states that residential uses in this noise zone must meet the following guidelines: year-round climate control, no outdoor activities, and a DNL indoor noise level of 45 decibels. We are advised by Metropolitan Council staff that this is incorrect. For provisional uses, the only requirement for new construction is compliance with the structure noise performance standard. Outdoor uses are not prohibited, and the methods for achieving structure noise attenuation (e.g., year-round climate control) are not specified. Third, the structure performance standard is an interior sound level of 45 dBA (decibels on the A-scale), not 45 DNL (noise contour area, weighted by day/night).

(b) The Draft AUAR fails to mention that the City, for noise compatibility reasons, has requested that the MAC remove existing residential development immediately adjacent to the Kelley property. Specifically, on January 24, 2001, the City by a letter from Mayor Gene Winstead formally requested that the MAC acquire the 19 single-family homes and 3 vacant single-family lots on Long Meadow Circle and 11 single-family homes and 131 multi-family units south and east of Old Shakopee Road abutting or near the Kelley property on the east, for a

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total of about 161 residential units. All these units are within the 65-70 DNL contour projected for 2005. It is inconsistent for the City to request that MAC acquire these homes and apartments because of anticipated noise from aircraft using Runway 17-35 and at the same time conclude that developing multiplex or apartment units on land within the higher 70-75 DNL noise contour is permissible.

(c) The Draft AUAR fails to reflect the MAC's position that residential uses are incompatible with noise levels experienced in the 70-75 DNL noise contour. As part of its current revision of the MSP Part 150 Noise Compatibility Program, the MAC expects to propose that new residential construction be prohibited in the 70 DNL noise contour.

4. Item 27 Compatibility With Plans. On pages 89 through 91 under this Item, the Draft AUAR notes that land use designations for the Airport South District have not been updated due to lack of information on land use and intensity restrictions related to Runway 17-35. This discussion is inadequate for several reasons.

(a) The Draft AUAR never mentions airspace restrictions which are required for the operation of Runway 17-35. These restrictions are set forth in both federal and state regulations, and accurate depictions of the areas subject to the restrictions have been available for several years. The MAC has incorporated these restrictions in proposed aviation easements for the Met Center, Mall of America, and Adjoining Lands properties. The compatibility of the proposed developments with these airspace restrictions should be discussed.

(b) The Draft AUAR only mentions that land use intensity restrictions will be imposed in relation to Runway 17-35. No comparison of the proposed developments to the restrictions is made. Again, the federal and state rules describing these restrictions are in place (although the state rules are under discussion). As to the federally required Runway Protection Zone, the MAC is acquiring virtually all the property in the Zone. As to State Safety Zones A, B and C, these are in place for the other runways at MSP. The compatibility of the proposed developments with existing federal and state rules should be discussed.

5. Item 31 Summary Of Issues. On page 95 under the subsection Summary of Issues, the Draft AUAR presents a list of potential impacts and the need for monitoring and/or mitigation. The following should be added to this list – land use compatibility with aircraft noise, airspace restrictions related to Runway 17-35 and land use restrictions related to Runway 17-35. An appropriate discussion of each issue should be included in this Item.

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Draft Mitigation Plan Comments

6. **Section 2.0 Responsible Parties.** On pages 1 and 2 of this Section, both the MAC and the Wold-Chamberlain Field Joint Airport Zoning Board should be listed as agencies which have authority to set regulations and determine compliance within their jurisdictions.

7. **Section 3.0 Identified Impacts And Proposed Mitigation Plan.** Three subsections should be added to this section.

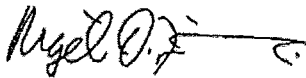
(a) A subsection on land use compatibility with aircraft noise should be provided. A specific mitigation measure identified in this subsection should be the prohibition of new residential construction in the 70-75 DNL noise contour for Runway 17-35. This prohibition should be incorporated in the City's comprehensive plan and zoning ordinance.

(b) A subsection on land use compatibility with airspace restrictions for Runway 17-35 should be provided.

(c) A subsection on land use compatibility with airport safety zones for Runway 17-35 should be provided. Since the nature and extent of these zones are under discussion by various parties, this subsection may have to be more process oriented and less definitive as to specific mitigation measures.

8. **Section 3.2 Surface Water (Water Quality/Quantity).** The Draft Mitigation Plan should address the MAC's concerns that ponding above the bluff in the Airport South District increases the risk of bird strikes on aircraft by prohibiting ponds and infiltration basins above the bluff in the District or by adding the MAC as a party in determining the feasibility of such ponds and basins on a case-by-case basis. Thank you for the opportunity to comment on the Draft AUAR and Draft Mitigation Plan. We are available to assist the City as it prepares the final version of both documents.

Sincerely yours,



Nigel D. Finney
Deputy Executive Director
Planning and Environment

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Minnesota Department of Natural Resources

500 Lafayette Road
St. Paul, Minnesota 55155-40__

[BY FACSIMILE]
[Original Letter to Follow by U.S. Mail]

December 24, 2001

Mr. Clark Arneson
Planning Manager
City of Bloomington
2215 West Old Shakopee Road
Bloomington, MN 55431

RE: City of Bloomington Airport South District
Draft Alternative Urban Areawide Review (Draft AUAR)

Dear Mr. Arneson:

The Department of Natural Resources (DNR) has reviewed the Draft Alternative Urban Areawide Review document for the Airport South District in the City of Bloomington in Hennepin County. This Draft AUAR is for a detailed study of potential environmental effects resulting from future development within the approximately 2,350-acre Airport South District Study Area. We offer the following comments for your consideration on this document.

Project Description, Storm Water Conveyance/Treatment (Item No. 6)

In the last paragraph of this section of the Draft AUAR, there is a discussion of the potential for incorporation of on-site infiltration basins for stormwater treatment. The DNR recommends that when considering incorporating infiltration basins, that the City of Bloomington staff also consider the feasibility of incorporating an array of small-scale water harvesting and storage techniques for stormwater. These techniques include rooftop storage, cisterns, backyard swales, water gardens, and industrial use of stormwater.

Fish, Wildlife, and Ecologically Sensitive Resources (Item No. 11.a.)

Item 11.a. of the Draft AUAR contains the discussion of fish, wildlife, and ecologically sensitive resources and the Draft AUAR states there will be limited encroachment (the amount is not specified in this section) within the portions of the bluff area that has not been previously disturbed, and that this encroachment will be regulated under the provisions of the City of Bloomington's Bluff Protection zoning district. Protection of bluff areas is a concern in this

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Mr. C. Arneson
December 24, 2001
Page 2

area. The DNR suggests that the City of Bloomington not allow development within the bluff area. Assuming as indicated in the Draft AUAR that the proposed encroachment will be limited, it appears that little development opportunity would be lost as a result of no development in the bluff area.

In June 2000, the U.S. Army Corps of Engineers published a Final Appraisal Report for the Long Meadow Lake Habitat Rehabilitation and Enhancement Project. Long Meadow Lake is in the Minnesota Valley National Wildlife Refuge (MVNWR). The report determined that "[l]ocal land use changes continue to be an escalating, negative influence on Long Meadow Lake as development continues along the bluff adjacent to the Long Meadow Lake management unit. This development will continue to aggravate the problem of excessive runoff into Long Meadow Lake." As a result of this development (and other factors), the U.S. Fish and Wildlife Service is modifying Long Meadow Lake to improve fish and wildlife habitat in the lake. With redevelopment proposals such as this, opportunities exist for significant reductions in runoff volumes. The Final AUAR should recognize these opportunities and identify whether the reduction of runoff volumes will be given priority during the design and implementation of both the redevelopment of the five areas and the development of the Kelley property.

Fish, Wildlife, and Ecologically Sensitive Resources and Presence of State-List Species, Rare Plant Communities or Other Sensitive Ecological Resources (Item No. 11.b.)

This section of the Draft AUAR addresses state-listed (endangered, threatened, or special-concern) species, rare plant communities or other sensitive ecological resources. At the time of the original DNR Natural Heritage Program database search in July 1998 (the DNR's letter is included in Appendix B of the Draft AUAR), 30 rare features were documented in the vicinity of the AUAR boundary. The information in this section of the Draft AUAR is misleading by only mentioning the Eagle nests.

In consideration of the length of time since the previous review, the DNR Natural Heritage Program has completed another database search for the AUAR study area to determine if any rare plant or animal species or other significant natural features are known to occur within an approximate one-mile radius of the Airport South District AUAR project area. Based on this review, there are 40 known occurrences of rare species or natural communities in the area searched (for details, refer to the attached database printouts).

The DNR has the following specific comments for rare features that may be impacted by future development in and around the AUAR study area.

- The bluffs above the Minnesota River National Wildlife Refuge provide important habitat components for a number of wildlife species, including a host of migratory birds. According to Section 11.a. of the Draft AUAR, development of the Kelley property would involve limited encroachment within portions of the bluff that has not

Mr. C. Arneson
December 24, 2001
Page 3

been previously disturbed. In view of the ecological value of the bluffs, we recommend that there not be any development of bluff habitat. Buildings to be constructed adjacent to bluff areas should be designed to not negatively impact wildlife utilizing this natural corridor. For example, the collision of migratory birds with man-made structures is an increasing problem resulting in the death of millions of birds each year in the United States. To help prevent such collisions and to minimize this impact, buildings should not be glass sided as birds in flight are not able to detect widows. In addition, minimal (if any), artificial lighting should be used at night as this tends to attract many species of nocturnal migrants.

- Freshwater mussels have been documented in the Minnesota River in the vicinity of the AUAR study area boundary. Freshwater mussels are declining nation-wide and have been described as one of North America's most imperiled groups of animals. In Minnesota, 25 of our 48 native mussel species are listed as either endangered, threatened, or of special concern. A reason for this decline is the degradation of lakes and rivers as a result of runoff and physical changes such as damming, channelization, and dredging. Mussels are particularly vulnerable to deterioration in water quality, including increased siltation. To minimize this impact, improvements to stormwater retention and treatment should be an important design consideration in development of the Kelley property and the other redevelopment sites.

Water Quality and Surface Water Runoff (Item No. 17)

The study area is located in an area with the competing interests of a large commercial area adjacent to a major wildlife refuge and riverine system (the Minnesota Valley National Wildlife Refuge). We have concerns associated with stormwater runoff. As noted in the Draft AUAR, the existing system is not adequate, and upgrades are being proposed. The DNR has questions about whether the proposed changes are sufficient. We are aware that the U.S. Fish and Wildlife Service (USFWS) has been trying, for a number of years, to address a balance of activities such as water levels in Long Meadow Lake. As noted in these comments, Long Meadow Lake is within the USFWS' Minnesota Valley National Wildlife Refuge (MVNWR). The DNR recommends that the City of Bloomington should carefully evaluate stormwater plans to assure maximum treatment of both stormwater volume and quality. We understand that much of the stormwater is piped down to ponds along the border of the MVNWR. The DNR recommends on-site stormwater treatment around the redevelopment areas to help with Long Meadow Lake issues including water level issues. We also suggest that perhaps the Runway Protection Zone (RPZ) could be used for shallow treatment/infiltration ponds. The DNR recommends that the City of Bloomington and/or the project proposers should actively work to treat stormwater on-site before it is sent through other conduits down the bluff. Simply increasing the size of the existing system to handle additional surface water runoff volumes may not be the most effective result for water resources in the study area.

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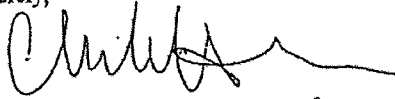
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Mr. C. Arneson
December 24, 2001
Page 4

Thank you for the opportunity to review this project and the Draft AUAR. The DNR looks forward to receiving and reviewing your Final AUAR and Mitigation Plan at a future date.

If you have questions about this letter or these comments, please contact me at (651) 296-4790.

Sincerely,



Charlotte W. Cohn, Environmental Planner
Environmental Policy and Review Section
Office of Management and Budget Services

Attachment

c: Kathleen Wallace
Steve Colvin
Wayne Barstad
Sarah Hoffmann
Bruce Gerbig
Peter Leete
Rebecca A. Wooden
Jon Larsen, EQB
Dan P. Stinnett, USFWS

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CITY OF BLOOMINGTON
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December 21, 2001

Mr. Clark Arneson
Planning Manager
City of Bloomington
2215 West Old Shakopee Road
Bloomington, MN 55431

Re: Airport South District AUAR
Bloomington, Hennepin County
SHPO Number: 2001-3453

Dear Mr. Arneson:

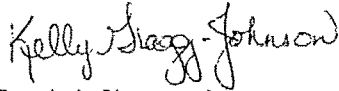
Thank you for the opportunity to review and comment on the above referenced AUAR.

We appreciate the discussion of cultural resources included in the response to question 25a.

We would note that it is important to work with the Office of the State Archaeologist to evaluate all areas that may include burials, even those that may have been reported in the past as being destroyed. Only this office has the authority to authenticate burials, and past reports may or may not have take into account all relevant factors.

We look forward to working with the city in addressing the other cultural resource issues for this area. Contact us at 651-296-5462 with questions or concerns.

Sincerely,



Dennis A. Gimmestad
Government Programs & Compliance Officer

cc: Mark Dudzik, OSA
Jennie Ross, SRF



City of
BURNSVILLE

100 Civic Center Parkway • Burnsville, Minnesota 55337-3817

(952) 895-4400

December 26, 2001

City of Bloomington
c/o Clark Arneson, Planning Manager
City of Bloomington
2216 West Old Shakopee Road
Bloomington, MN 55431

RE: ALTERNATIVE URBAN AREA WIDE REVIEW (AUAR) DOCUMENT –
AIRPORT SOUTH DISTRICT.

Dear Mr. Arneson;

Thank you for the opportunity to comment on the Airport South District AUAR. The Airport South District, which includes the Mall of America, and Minnesota Valley National Wildlife Refuge and is adjacent to the Minneapolis – St. Paul International Airport, is an area with not only regional significance to the Twin Cities, but significance to the entire Upper Midwest Region. From the perspective of traffic generation, this area is unequalled in the Twin Cities Metropolitan area. The increased traffic generated from the improvements in this area, (>100,000 trips/day), will have far reaching impacts including key regional roadways, (TH77, I-35 and I-494) vital to the communities surrounding Bloomington. The Airport South District lies between Burnsville residents and businesses and commuter traffic from the southern portions of outstate Minnesota and the Minneapolis – St. Paul International Airport.

Traffic

From the review that our staff and consultant team has completed, we are concerned that the traffic increases generated from this area, and subsequent congestion, has not been adequately addressed. In addition, the traffic analysis does not address how traffic will be impacted if the unfunded proposed improvements are not constructed.

The essence of the AUAR traffic study is that the traffic projections for the AUAR area exceed the traffic projections from the Mall of America (MOA) expansion by approximately 4000 trips per day. Based on the small increase in traffic, the July 13, 2001 Mall of America EIS traffic analysis was “raised” with a supplemental traffic analysis study. The supplemental analysis addressed trip generation changes and impacts to local intersections only. The result of this approach is that impacts to the regional freeways affecting Burnsville, that were identified but not addressed in the MOA EIS analysis, have still not been addressed in the AUAR. These issues are significant and include the following areas.

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Base Traffic Assumptions

The traffic study for the AUAR represents dated base traffic data and should be revised to reflect the latest conditions. The Airport South AUAR recycled the Mall of America EIS traffic study which was prepared using 1999 traffic count data on the freeway system. This information is readily obtained from MnDOT traffic management sensors and should be updated to reflect existing 2001 traffic conditions.

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Geographic Scope

The geographic scope for an AUAR traffic analysis *must extend outward as far as the traffic to be generated would have a significant effect on the roadway system and traffic measurements and projections should include peak days and peak hours, or other appropriate measures related to identifying congestion problems, as well as ADT's.* Furthermore based on the changes in traffic volumes caused by the development a discussion of proposed mitigation is required.

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The AUAR study area identified the Cedar Avenue River Bridge as the major crossing of traffic from Burnsville, only 2% of the development traffic was identified as using I-35W. However, by 2007 with the AUAR development traffic, the Cedar Avenue Traffic will reach LOS F conditions, there are no mitigation measures discussed regarding this major transportation facility. In addition, there is no mention of traffic and congestion levels at the I-35W river crossing. If the 2% trips identified for the I-35W corridor face greater congestion on I-35W, they could move to Cedar Avenue, further exacerbating the Cedar Avenue problem. Conversely, traffic could move from Cedar Avenue to I-35W increasing congestion on I-35W. In any event the impacts and subsequent mitigation have not been adequately addressed.

Based on the following discussion of freeway capacities the extent of congestion caused by the AUAR development is underestimated. Clarification of the capacity deficiencies and addressing the potential mitigation measures for Cedar Avenue and I-35W is required.

Overstated Freeway Capacities

The per lane freeway capacities used for assessing level of service did not incorporate heavy vehicle percentages and therefore underestimate the extent of deficiencies on the regional roadway system. The methodology used resulted in a comparison of passenger car equivalency capacities (2,300 vehicles per lane per hour for the Cedar Avenue Bridge) with projected traffic volumes without heavy vehicles adjustments. Heavy vehicles have the effect of adding 1.5 passenger cars for every heavy truck, for a planning level analysis either the demand volume must be increased or the capacities decreased to reflect more realistic operations. Either way, the level of service is under reported and the extent of congestion would be far worse than is indicated.

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Trip Generation

It is understood that "the Mall of America is an extraordinary traffic generator with unique characteristics unlike any of the development types generally documented in the

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ITE Trip Generation Manual", (as stated in your response to comments on the MOA EIS dated December 15, 2000). Because of its status as an "extraordinary traffic generator" this project may warrant review as a project with metropolitan regional significance. Much of the trip projections are based on adjusted and assumed data unique to the MOA but are without proper documentation in the EIS and/or AUAR. This lack of documentation regarding shared-trips internal to the MOA makes the trip reductions appear arbitrary. A more detailed documentation of MOA trip assumptions should be included.

The overall conclusion of the traffic report was that traffic generated by this area wide development could be adequately accommodated by the regional roadway system and there would be no traffic related impacts as a result of this development. Without the supporting data, it is not possible to check the trip generator calculations, however, it does not seem logical, that adding 100,000 additional vehicles from one site to a regional roadway system already experiencing congestion problems would result in no traffic related impacts.

Storm Water Management

In general, the storm water and other environmental issues will not directly impact the City of Burnsville. However, storm water management decisions will impact the Minnesota Valley Wildlife Refuge and Minnesota River and should be addressed from a regional perspective. To that end we offer the following concerns:

Section 6. Page 14. Storm Water Conveyance/Treatment. In general, the study suggests that water quantity and runoff rate conditions will not increase from the project and that water quality impacts (pollutant loading) will not increase as a result of the project. Based on the analysis provided, these conclusions seem reasonable. However, several questions arise from the detailed modeling analysis provided in Appendix C of the AUAR. Clarification of the intent of recommendations (appendix C, Page 23) should be provided. It is unclear if these are necessary elements to meet the regulatory requirements for the project or simply recommendations to go beyond the minimum regulatory requirements. See more detailed comments under Section 17 comments below.

The statement in the first paragraph of this section indicates that the existing storm sewer system would not require capacity modifications to support development. This appears to conflict with the description in the second paragraph on page 37 that indicates a new storm sewer line will be installed to handle the increased flows to Hogback Pond. The new storm sewer line apparently will replace existing surface routing features. A discussion of the need and/or benefits of adding the new storm sewer line should be provided. Additional comments on the discharge rate requirements are provided below with comments for Section 17.

Section 8. Page 16. Permits and Approvals. The Table should include a discussion or acknowledgement that wetland and/or work in protected water permits will be applied for, if applicable.

Section 10. Page 20. Cover Types. The following (required) features are not identified in Figures 7 and 8: wetland types, watercourses (streams, creeks, ditches) and, as

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applicable, protected waters status and shoreland management classification of lakes. If these features do not exist in the study area, a statement indicating this should be included. Information from the National Wetlands Inventory and a discussion of any valuation(s) of the Kelley property for wetlands in the identified cropland or woodlands should be added.

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Section 12. Page 25. Physical Impacts on Water Resources. This section indicates (in the EAW paragraph) that no alteration of any surface water (lake, pond, wetland, stream, drainage ditch) will take place as a result of the project. However, this appears to conflict with the statement on page 14, "...Pond C...could be expanded...to achieve some additional regional treatment capacity." The AUAR should discuss and clarify why modification of Pond C (or others) would not be considered an alteration to water resources. A discussion of the project is not provided in the AUAR paragraph under this section. In addition, some alteration in the drainage system will occur as a new storm sewer section will be added to (apparently) replace the surface drainage system to Hogback Pond.

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Section 17. Pages 30-40. Water Quality/Surface Water Runoff. There are several questions relating to the water quantity and quality modeling analyses. The main questions relating to the XP-SWMM water quantity analysis related to two statements; one on Page 37 "... combined effect of these factors results in a minor increase in total discharge volume" and a second on page 38 "Since the City's Comprehensive Surface Water Management Plan requires all new development/redevelopment to maintain surface water discharges at or below existing levels, the AUAR projected development would not increase the rate of discharges, compared to existing conditions." It is unclear why modeling results for the runoff volume conditions were provided but peak discharge rate results were not. At a minimum the AUAR should describe the methods or practices that could or will be used to manage peak discharge rates.

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Based on the method used to define drainage areas and their percentage impervious, the study suggests that the project impact on water quality would be minor. The P-8 Urban Catchment modeling discussion is perhaps a way to demonstrate that a detailed water quality analysis was completed. However, it is important to realize that the P-8 analysis is a kind of black box that happens to be widely accepted. In order to investigate the accuracy/results of the AUAR study in more detail the following information is needed:

1. Information on whether pollutant loads in the P-8 model were calibrated to known or expected conditions and a discussion of the potential for pollutant loads after the development to be different from existing loads.
2. Without reviewing the plans that served as the basis for the P-8 analysis only a general understanding of the results can be gained. More detail on the location of proposed ponds and topography are particularly important in this analysis.

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A more detailed review of the P-8 modeling memorandums (Montgomery-Watson-Harza) in Appendix C of the AUAR was also completed. These comments are provided below.

Appendix C. Page 2. The discussion does not provide details on how storm water from Airport South District is routed during high versus low flow conditions. It would be

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helpful to know from a modeling perspective how these are routed differently (i.e., include a physical description of the flow splitter).

Appendix C. Page 7. The AUAR should include a discussion of why the "inherent" continuity errors are ~2 percent? The study insists too much on "significance" which is defined arbitrarily as difference between percentages. Is the goal to keep Long Meadow Lake clean? If so, then the only comparison that makes sense is total load for Baseline, Build, and No-Build. The discussion should focus on total load to the lake.

Appendix C. Page 8. Table 3 suggests that a 2-year storm generates slightly over 34,000 lbs. of TSS. For a high precipitation year Table 3 shows a total system load of more than 1 million pounds, all from an area of about 1 square mile. This appears to be a significant total system load. Some discussion of how this situation would be possible should be provided (i.e., is this load realistic?).

Appendix C. page 10. Comment in paragraph 2 regarding Table 7 is confusing.

Appendix C. pages 13-14. Comments in bullets regarding the Build alternative. In most places where it is stated that "[pond] did not meet expectations" it should be noted that these "expectations" are not met for the baseline (existing situation) either. The last bullet is debatable, it is mentioned previously that the new ponds contribute only 2 percent. This also comes into contradiction with some of the conclusions.

Appendix C. page 21-22. The conclusions seem logical. Not much difference in results between Build and No-Build conditions, although some of the recommendations are not clear or imply that some mitigation is needed to address impacts resulting from the project. The AUAR discussion should clarify what mitigation is needed and what recommendations are provided to go beyond the needed regulatory requirements.

Land-Use

With respect to land-use, it is apparent the land uses may change upon recommendations from the Wold-Chamberlain Field Joint Airport Zoning Board expected in spring 2002. These changes will ultimately be reflected in the Comprehensive Land Use Plan and have a direct effect on the assumptions within this AUAR. The plan states that the AUAR will be updated if "substantial changes to the development are made." Who determines what is substantial and what is not and if/when the AUAR will be updated? Considering there are no current development plans submitted to the city in this area, it is prudent to wait until the final airport zoning board recommendations are incorporated in the city's comprehensive land-use guide plan. The AUAR should then be reviewed with correct information and fewer assumptions.

Summary and Conclusion

The City of Burnsville finds the Airport South District AUAR to be incomplete in many respects. The belief that adding an additional 100,000 trips per day to a transportation system will not have a significant regional impact does not seem realistic. The AUAR document conducts analysis, and reaches conclusions, based upon undisclosed traffic methodology and/or data, which does not help to alleviate our congestion concerns.

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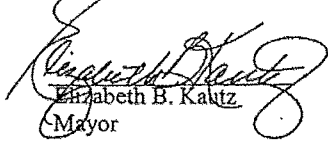
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We're also concerned that the traffic mitigation measures are tied to unfunded proposed projects in times of transportation funding uncertainties

The City of Burnsville supports the development/redevelopment of sites throughout the region including Bloomington. However, the planning for the future use of all sites must be done carefully to make certain that the surrounding infrastructure is adequate to serve the development. The information and analysis contained in the environmental review documents provided by the City of Bloomington needs to be expanded to make reasonable judgements about the nature and scope of potential adverse impacts. This additional work should be done before the city proceeds with the approval of this development/redevelopment initiative.

Sincerely,



Elizabeth B. Kautz
Mayor
City of Burnsville

Cc: Greg Konat

From: "Kilberg, Eric" <eric.kilberg@pca.state.mn.us>
To: "Arneson, Clark @ Bloomington" <clark@ci.bloomington.mn.us>
Date: 12/13/01 4:49PM
Subject: Airport South AUAR

Thank you for the opportunity to review the subject AUAR. We applaud the city's decision to perform an AUAR.

Our major concern relates to water quality implications of surface water runoff. The AUAR contains a fairly detailed analysis that suggests that additional treatment facilities (regional ponds) may be needed. Whenever storm water is discharged to waters of the state, it must first receive treatment adequate to protect the water quality of the receiving water. Since Bloomington is surely to be impacted by the new federal storm water Phase II Program, which could require retrofitted storm water treatment, it behooves the city to evaluate a variety of potential storm water management techniques to protect surface water quality. We strongly recommend use of infiltration basins to reduce the net storm water runoff. We agree that feasibility would need to be considered site-specifically, but would offer that site layout issues may take second precedence.

In any event, we advise the city to take particular care to resolve regional treatment needs early in the process, being aware of the requirements of the Phase II storm water program.

CC: "Affeldt, Craig" <craig.affeldt@pca.state.mn.us>

1



United States Department of the Interior

FISH AND WILDLIFE SERVICE
Twin Cities Field Office
4101 East 80th Street
Bloomington, Minnesota 55425-1665

DEC 26 2001

Mr. Clark Arneson
Planning Manager
City of Bloomington
2215 West Old Shakopee Road
Bloomington, Minnesota 55431

Dear Mr. Arneson:

This responds to the November 2001, Draft Alternative Urban Areawide Review (AUAR), Airport South District, which was prepared by SRF Consulting Group, Inc., and which describes development anticipated to occur through 2006. The Draft AUAR identifies potential environmental impacts and proposed mitigation. The 2,350-acre Airport South District is located south of Interstate 494, west of Cedar Avenue/Trunk Highway 77 and north of the Minnesota River in Sections 1, 12, and 13 of T27N, R24W; and Sections 5, 6, 7, and 8 of T27N, R23W, Hennepin County, Minnesota.

The AUAR determined that no significant impacts are anticipated to occur to the pair of bald eagles (*Haliaeetus leucocephalus*), which are actively nesting adjacent to Long Meadow Lake. We concur with this determination. This precludes the need for further action on this project as required under section 7 of the Endangered Species Act of 1973, as amended. However, if the project is modified or new information becomes available which indicates that federally listed species may occur in the affected area, consultation with this office should be reinitiated.

We appreciate the opportunity to comment and look forward to working with you in the future. If you have questions regarding our comments, please call Mr. R. Nicholas Rowse of my staff at (612) 725-3548, extension 210.

Sincerely,

Dan P. Stinnett
Field Supervisor

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United States Department of the Interior

FISH AND WILDLIFE SERVICE
Minnesota Valley National Wildlife Refuge
3815 East 80th Street
Bloomington, Minnesota 55425-1600

December 26, 2001

Mr. Clark Arneson, Manager
Planning and Economic Development
City of Bloomington
2215 West Old Shakopee Road
Bloomington, Minnesota 55431

Dear Mr. Arneson:

Thank you for the opportunity to comment on the draft Alternative Urban Area-wide Review (AUAR) for the Airport South District. Without question, the treatment of surface waters in this part of Bloomington has a very significant affect upon the important wetland resources within Minnesota Valley National Wildlife Refuge. In light of this, we have reviewed this draft document with a great deal of interest. We have four major points about the draft AUAR which are as follows:

1. Unfortunately, the draft AUAR does not address how the City plans to correct existing nor future water quality discharge problems that enter Minnesota Valley National Wildlife Refuge.

Despite some recent attempts by the City to address some of the water quality discharge problems associated with the Pond C and Hogback Ridge Pond systems, it is no secret that these entire systems are incapable of adequately treating the storm water discharges of the Airport South District. Much to our disappointment, the draft AUAR fails to specifically address what the City plans to do to correct existing water quality problems let alone the additional proposed discharges. Likewise, there is virtually no discussion about safeguards for preventing toxic spills from entering Refuge wetlands through the City's storm water discharge system. With all due respect to those who worked on this project, we think the AUAR is significantly inadequate since it does not address this very significant source of Refuge pollution.

2. We believe that the existing use of the HogBack Ridge Pond system and the proposal to expand the watershed that contributes to the storm water system that enters Hog Back Ridge Pond will likely be in violation of the U.S. Fish and Wildlife Service permit that was issued to the City in 1983.

As implied in the permit granted to the City for the construction, use, and maintenance of the storm sewer, this facility cannot and should not interfere with management and administration of the Refuge as a wildlife conservation area. The permit further implies that the City must comply with all applicable State and Federal laws associated with the

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use of this facility. Furthermore, the permit states that the U.S. Fish and Wildlife Service may suspend or terminate this permit for failure to comply with any of the conditions of this permit. In light of all these conditions, we strongly believe that the City must correct the source of existing pollutants that enter Refuge lands. We also believe that it would likely be a violation of this permit should the City increase the watershed and its associated discharges unless they can meet all State water quality standards.

3. The P-8 Modeling Assumptions for the Hogback Ridge Pond system are incorrect and therefore the modeling results are also incorrect.

Consistent with our earlier discussions with the City and SRF staff, we believe that the assumptions and results of the P-8 modeling for the Hogback Pond system are incorrect. In particular, we know that the Hogback Pond system does not function as depicted in model. More specifically, surface water entering the Skimmer and Hogback Ridge Pond is not cycled into Hogback Ridge Marsh before it enters Long Meadow Lake. Consequently, the Hogback Ridge Pond is significantly less effective in water treatment than suggested in the document. Since the distribution of the draft AUAR, we have had discussions with Ms. Jennie Ross of SRF, and she has verified that the modeling results as shown in the draft are indeed incorrect.

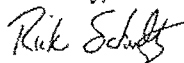
4. We believe that the AUAR incorrectly assumes that the primary purpose of the Hog Back Ridge Pond is for water quality treatment, rather that for wildlife conservation.

The AUAR incorrectly assumes that the primary purpose of the Hogback Ridge Pond is for storm water treatment and that stable water levels will be maintained for it to function properly as a treatment facility. Despite our best efforts over the past five years, we have been unsuccessful in reaching any agreement with the City concerning the discharge and proper treatment of storm waters that enter Hogback Ridge Pond. Consequently, the Refuge has not formally agreed to alter the primary purpose of this pond from fish and wildlife conservation to storm water treatment. In light of this, we still maintain the option of managing this body of water for fish and wildlife conservation purposes, which necessitates periodic draw downs.

These conclude our comments at this time about the draft AUAR. As always, we invite the City and its consultants into in-depth discussions where we can once and for all, effectively address the water quality issues associated with this part of Bloomington. Until that occurs, however, this issue will not go away.

Thanks again for the opportunity to comment on the draft AUAR and please feel free to contact me at 952-858-0701 should you have any comments or questions.

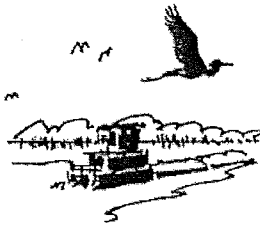
Sincerely,



Rick Schultz
Refuge Manager

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DEC 26 2001
CITY OF BLOOMINGTON
MINNESOTA

cc: Mr. Keith Cherryholmes, MPCA



LOWER
MINNESOTA RIVER
WATERSHED DISTRICT

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Kevin D. Bigalke, Administrator
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December 19, 2001

Mr. Clark Arneson
City of Bloomington Planning Manager
2215 West Old Shakopee Road
Bloomington, MN 55431

Dear Mr. Arneson:

Thank you for providing the Lower Minnesota River Watershed District (LMRWD) with the opportunity to review and comment on the Airport South District AUAR. The LMRWD staff has reviewed the AUAR document and offer the following comments for your consideration:

1. Throughout the AUAR, the treatment and nutrient removal efficiencies of Pond C is described as not meeting NURP standards. The LMRWD feels that this issue needs to be addressed.
2. The LMRWD recommends increased on-sight treatment prior to entering Pond C.
3. The AUAR also briefly discusses using infiltration basins to increase stormwater treatment in the Airport South District. The LMRWD strongly recommends incorporating infiltration and low impact development practices into the Airport South District developments when ever possible. These practices would significantly reduce stormwater runoff and increase treatment capabilities.

The Lower Minnesota River Watershed District commends the City of Bloomington on your efforts to thoroughly evaluate the impacts on the Minnesota River as a result of developing the Airport South District. We look forward to working with the City of Bloomington to address the concerns raised above. If you have questions or comments, please contact me at (952) 496-8842.

Sincerely,

Kevin D. Bigalke
District Administrator

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RESPONSES TO COMMENTS ON THE DRAFT AUAR

Office of the State Archaeologist

1. *The City of Bloomington has a long history of working cooperatively with the Office of the State Archaeologist in identifying and authenticating burials or mound groups pursuant to Minnesota Statutes. Of the six redevelopment sites identified in the Airport South Land Use Scenario, Spruce Shadows Farm is the only site known to contain a previously documented burial site—Van Ness Mounds (21HE 8). Bloomington will continue to follow procedures outlined by Minnesota Statutes and regulations as required. The City's development review process in areas where there are burials or identified mound site, includes the preparation of mound preservation plans with the goal of site protection and preservation prior to building plan approval. Mound management plans have been coordinated with the Office of the State Archaeologist and in consultation with Minnesota Indian Affairs Council (MIAC).*

Siegel, Brill, Greupner, Duffy & Foster, P.A. / Gerald S. Duffy

This letter was sent on behalf of the Spruce Shadows Farms (Kelley farm and homestead) property. Mr. Duffy represents the property owner. The letter was included as a response to the Draft AUAR. The letter does not provide comments on any of the AUAR sections. It states that the AUAR appears to be essentially complete. The letter also requests (1) action on the Spruce Shadows Farms development application by the City and (2) copies of the comments submitted on the Draft AUAR. Planning Division staff responded to Mr. Duffy's request in a letter dated January 9, 2002. The letter included a brief status report on the AUAR, information about the City's intended process for considering the Spruce Shadows Farms development application and copies of comment letters received by the end of the comment period.

Minnesota Department of Transportation

1. *According to the Mn/DOT comment memorandum, the AUAR does not adequately address State standards for runway 17/35 safety zones found in the State Model Ordinance for Minnesota Airports. The agency comments that the AUAR completely ignores a major MSP runway. Mn/DOT recommends that the City choose between two alternatives:*
 - (1) *complete the AUAR process using the State safety zone standards and noise and air quality analyses, and later modify the AUAR to incorporate the MSP Joint Zoning Board Ordinance details or,*
 - (2) *postpone completion of the AUAR process until after the MSP Zoning Ordinance is completed.*

First, the AUAR does not ignore the new MSP Runway 17/35 and its relationship to Airport South in general or to potential effects on land use in Airport South. The AUAR provides narrative on MSP Runway 17/35 in the Description section (see Airport South AUAR Development Scenario, Section 6), Land Use section (Section 9), and Compatibility With Plans section (Section 27). The AUAR notes that the information on airspace obstruction regulations and land use safety zoning is not available and that Wold-Chamberlain Field Joint Airport Zoning Board is in the process of determining airspace obstruction regulations and land use safety zoning. The AUAR states that the adopted regulations will be a determinant in a new City of Bloomington Airport South District Plan and zoning and land development controls, as appropriate.

The AUAR will be modified to clarify the content with regard to airspace obstruction regulations and land use safety zoning. It will be stated that the City recognizes there will be changes in land use and land use controls based on the Wold-Chamberlain Field Joint Airport Zoning Board's jurisdiction to establish airspace obstruction regulations and land use safety zoning. When Wold-Chamberlain Field Joint Airport Zoning Board determines and adopts airspace obstruction regulations and land use safety zoning, these will be incorporated in a new Airport South land use plan and zoning controls, as necessary to reflect MSP Runway 17/35 currently under construction.

Airport South is a dynamic and complex area that will experience continued growth and development. In order to allow Bloomington to best respond to future development opportunities, consistent with City and regional goals, the City decided to prepare an Alternative Urban Area Review (AUAR). An AUAR is a form of environmental review that is allowed under State Statute and Minnesota Environmental Quality Board rules and is similar in content to an Environmental Impact Statement (EIS).

An EIS is a study of potential impacts related to an individual project. An AUAR is a study of potential impacts related to an area that could contain several projects. An AUAR includes a development scenario (or a picture of future development within an area), analyses of the potential impacts related to the development and a mitigation plan. Similar to an EIS, an AUAR is not a means to approve or disapprove one project or all of the projects within an area but is a valuable source of information used to guide future development decisions.

The AUAR development scenario presents a comprehensive view of the potential major commercial and mixed-use developments within the Airport South area through 2006. Six primary redevelopment sites are identified that will define the general character of the area. The proposed development intensity is based on the existing land use designations and zoning controls (implemented prior to a determination on MSP Runway 17/35) and is consistent with the requirements for AUAR land uses as defined in Minnesota Rules 4410.3610, Subpart 3.

The AUAR development scenario is utilized for analysis and evaluation purposes to determine the extent of any anticipated environmental impacts and as a basis for a mitigation plan. Redevelopment proposals for individual sites may reflect a level of development intensity less than that considered in the AUAR land use scenario. This

could be related to the airspace obstruction regulations and land use safety zoning established by the Wold-Chamberlain Field Joint Airport Zoning Board. If that happens, the AUAR assessment of different environmental impacts would remain valid as a "worst-case" scenario.

2. *The Final AUAR table was revised to reflect these changes. The forecast modeling was reviewed to determine if these changes would affect the forecast volumes used for AUAR analyses. This review indicated that the revised assumptions would not change the conclusions of the analysis, therefore the Final AUAR does not include a revised forecast or operational analysis.*
3. *The forecast year used in AUAR analyses was 2007. No improvements to TH 77 or I-494 (i.e., the additional lane on I-494) were assumed in the 2007 analyses.*
4. *City and watershed district regulations require that discharges from new developments not exceed existing discharge rates. Therefore, new development would not result in increased discharge rates to Mn/DOT right-of-way (including Pond C).*
5. *The AUAR analysis of traffic noise impacts includes assessment of impacts to residential development proposed as part of redevelopment of the Met Center site, in the vicinity of TH 77 and I-494. This analysis indicated that State noise standards would not be exceeded at this location. City staff is aware of the issue of potential traffic noise impacts on new developments, and will work with developers to identify appropriate site planning and construction techniques to minimize traffic noise impacts.*

Metropolitan Council

1. *Figure 3A in the Final AUAR shows the relationship of the runway safety zones to the AUAR development parcels. Figure 16 shows the properties slated for MAC acquisition.*
2. *Language has been added to the Study Approach section of the Final AUAR to clarify the description of the AUAR development scenario as it relates to the assumptions used in the Mall of America Expansion EIS. The outcome of land transfer process (now completed) for the Mall of America Expansion was consistent with the selected preferred alternative for the Mall of America Expansion EIS; therefore, the process had no further bearing on the AUAR development scenario.*

The MAC acquisition area referred to in the letter would appear to be the single-family properties along Long Meadow Circle. MAC is currently proceeding with the purchase of all of the existing homes. This area will be included in the City' Comprehensive Land Use Plan amendment to the Metropolitan Council. Non-residential land use designations will be evaluated in relation to airport operations, area traffic generation, site features and characteristics, and Wold-Chamberlain Field Joint Airport Zoning Board adopted airspace obstruction regulations and land use safety zoning.

3. *As part of the process of revising the Comprehensive Land Use Plan to include Airport South land use designations and zoning recommendations, the City will update and amend those elements of the Comprehensive Plan including the Transportation and Utilities Elements, as necessary, to reflect proposed land use changes. Table 4 (Permits and Approvals) has been updated to reflect this change.*

4. *The comment on land use is directed to the potential development of the Spruce Shadows (Kelley) Farm. The City has received a development application for rezoning and preliminary development approval for an office-residential development consistent with the City's existing land use and zoning designations. The purpose of a preliminary development plan is to serve as a general guide or broad framework for the future growth and development of the entire site. The purpose of the preliminary development plan is cited in Section 19.38.01(e)(1) as "... to establish the intent, density and intensity of the proposed development."*

Approval of the preliminary development plan does not assure development of any of the specific buildings which are shown but establishes the basic parameters for future development. Individual buildings or improvements require final development plan approval prior to construction. The purpose of the final development plan (Section 19.38.01(e)(3)) "... is to establish a detailed development plan for a proposed development."

The processing of this application is currently suspended as it is within the AUAR Study area and cannot proceed for consideration until the AUAR environmental review process is completed.

The AUAR land use scenario is utilized for analysis and evaluation purposes to determine the extent of any anticipated environmental impacts and as a basis for the AUAR Mitigation Plan. The City recognizes that there will be changes in land use and land use controls based on the Wold-Chamberlain Field Joint Airport Zoning Board's jurisdiction to establish airspace obstruction regulations and land use safety zoning. When Wold-Chamberlain Field Joint Airport Zoning Board determines and adopts airspace obstruction regulations and land use safety zoning, these will be incorporated in a new City of Bloomington Airport South District land use plan and zoning controls, as necessary to reflect MSP Runway 17/35 currently under construction.

As noted, the Wold-Chamberlain Field Joint Airport Zoning Board will be adopting airspace obstruction regulations and land use safety zoning. The Board is studying to what extent State Safety Zone A and Zone B land use restrictions are needed at MSP. With regard to approach/departure slopes, MAC will be making a determination of either a 50:1 or 62.5:1 slope (not 64.5:1 as stated in the comment letter) for Runway 17/35. The approved slope will have an effect on building heights within the area. The Draft AUAR discussion reflects only the information provided in plans adopted at the time of AUAR publication. The City agrees that residential land use is not desirable within the 70-75 DNL contour area; however the City is waiting for official

resolution of this issue by the Wold-Chamberlain Field Joint Airport Zoning Board prior to making any revisions to the comprehensive land use plan for the Airport South District.

5. *The Mitigation Plan adopted in conjunction with the AUAR process outlines the commitments made in the AUAR and the regulatory programs that ensure that the commitments are met.*
6. *The Final AUAR includes the daily flow volumes from the Sanitary Sewer Districts (A and B) serving the Airport South District.*
7. *The City is a member of the I-494 Corridor Commission, which is involved in reviewing regional highway system issues and solutions, including consideration of TDM measures.*
8. *The transportation element of the comprehensive plan will be revised in conjunction with the land use component (discussed above), and submitted for Metropolitan Council review.*
9. *No I-494 improvements are assumed for the AUAR, since they are programmed beyond the 2007 analysis year for the AUAR. Also, the impacts of the improvements noted in the comment are addressed in a Final EIS for the reconstruction of I-494, prepared by Mn/DOT, as noted in the comment.*
10. *The Final AUAR includes the revised version of Table 12 and suggested text changes.*
11. *The comment letter correctly notes that the Minnesota Valley National Wildlife Refuge is in proximity to the redevelopment sites identified in the Land Use Scenario. The text of the document recognizes the presence and location of the Minnesota Valley National Wildlife Refuge (MVNWR) land and the office/visitor center which is located on East 78th Street on the bluff. However, there will be no direct impacts to the MVNWR as a result of the proposed AUAR development scenario.*

The AUAR notes that the issue of potential indirect surface water impacts has been raised by several reviewing agencies. The issue is addressed in Item No. 17 Water Quality/Surface Water Runoff of the Draft AUAR. With the revised response to Item No. 17 based on the completion of a detailed follow-up storm water treatment feasibility study for the Airport South District, the issue of surface water quality is addressed.

The letter states a concern on the "preservation of water quality". It is the objective of the AUAR analyses and the City's supplemental studies to go beyond preservation but to identify alternatives for water quality improvement. Draft AUAR comment letters on surface water impacts were received from the Minnesota Pollution Control Agency, Lower Minnesota River Watershed District and the U.S. Fish & Wildlife Service—Minnesota Valley National Wildlife Refuge.

Redevelopment based on the AUAR Land Use Scenario should not result in any direct impacts to habitat or conservation areas within the Minnesota Valley National Wildlife Refuge. The Draft AUAR addresses habitat resources to an extent in Item No. 11—Fish, Wildlife, and Ecologically Sensitive Resources. The Environmental Protection Element of the Comprehensive Plan classifies all of the redevelopment sites identified in the Land Use Scenario as either urban with vegetation or urban without vegetation.

With regard to regional trail facilities, walkways and bikeway are identified for the Airport South area in Figure 4.14 of the Transportation Element of the City's Comprehensive Plan 2000. The existing trail system in Airport South includes both paved and unpaved public walkways, bikeways and trails connecting existing uses to Minnesota Valley National Wildlife Refuge facilities and trails and the State's Minnesota Valley Trail.

The Minnesota River bluff within Bloomington is an important community and environmental resource. Spruce Shadows Farm (Kelley farm and homestead) is the only property of the six Airport South redevelopment sites identified in the Land Use Scenario that contains land within the Minnesota River bluff area. All development proposals along the Minnesota River bluff, regardless of size, are subject to extensive plan review in relationship to Bloomington's bluff overlay districts (BP-1 and BP-2) land use regulations and the Bluff Report District Plan.

Minnesota River bluff land use regulations and design guidelines were formulated to result in development that blends into the bluff and is complementary to the landscape character of the bluff. Project reviews take into consideration the protection of scenic views and vistas. Objectives of the review process include effective erosion and sedimentation control, limiting bluff encroachment, providing for slope stabilization, eliminating direct over-the-bluff storm water discharge and providing comprehensive landscaping and re-vegetation plans based on a variety of native species compatible with bluff vegetation.

To meet these objectives, the City will work with landowners and developers on an individual project basis and consult with the interested agencies or parties, as appropriate, prior to final approval of landscape plans to satisfy City conditions of approval. A prime example of the process was the Ceridian bluff development project in which the City and property owner worked cooperatively on a landscape and re-vegetation plan in consultation with the U.S. Fish and Wildlife Service and Metropolitan Council Recreation/Open Space staff. The final landscape and re-vegetation plan was sensitive to invasive species and exotic and non-native species management.

Metropolitan Airports Commission

1. *Storm water management is an important aspect of the future development in the Airport South area as recognized in the AUAR. Comments on the provision of effective storm water management, specifically improving removal efficiencies, were included in letters*

from the Metropolitan Council (commenting on Water Quality—Surface Water Runoff and water quality issues related to Sensitive Resources—Designated Parks, Recreation Areas and/or Trails), Minnesota Pollution Control Agency (MPCA), Lower Minnesota River Watershed District, Minnesota Department of Natural Resources (MnDNR), City of Burnsville, and the U.S. Fish and Wildlife Service—Minnesota Valley National Wildlife Refuge. Many of the comments encourage on-site ponding and consideration of alternative forms of water storage techniques including, but not limited to, rooftop storage, swale systems, underground pipe storage systems, and rain gardens.

Airport South occupies a unique location between Minneapolis-St. Paul International Airport on the north and the Minnesota Valley National Wildlife Refuge on the south and east. The City's storm water management approach for the Airport South area must balance environmental and aviation objectives. The City has conducted a storm water treatment feasibility study for the Airport South District (in addition to the AUAR studies) that incorporates both on-site and regional treatment facilities for development anticipated through year 2020. This study is nearing completion, and will be adopted as a sub-area study included in the City's Surface Water Management Plan.

The FAA Advisory Circular on Hazardous Wildlife Attractants On or Near Airports lists storm water retention or detention ponds as land uses that may be compatible with safe airport operations. Storm water ponds used for rate control and water quality will be carefully evaluated as part of the City's development review process. In order to limit the attractiveness of storm water ponds to wildlife (primarily gulls, waterfowl and raptors), project review will focus on pond shape, slopes, lining, and storage volumes in relationship to NURP standards. Project review will also carefully focus on landscaping in and around storm water ponding areas to minimize food and cover sources for hazardous wildlife.

The City will work cooperatively with a MAC wildlife biologist or planning staff to review storm water management alternatives, including cases when ponding is proposed within the approach for MSP Runway 17/35. No ponding in Airport South is proposed that would be related to waste disposal operations, wastewater treatment facilities, dredge spoils containment or wetland mitigation projects which are more likely to attract waterfowl than storm water ponds would be.

- 2. Noise contours (2005 Unmitigated contours) have been added to Figure 16 in the Final AUAR. The Draft AUAR discussed compatibility of residential, commercial and office land uses (all of the proposed redevelopment land use categories) with FAA requirements for land use compatibility (page 85 of the Draft AUAR), but did not discuss compatibility of office and commercial land uses with Metropolitan Council guidelines. A discussion of the Metropolitan Council guidelines for commercial and offices uses has been added to the Final AUAR.*
- 3. The Final AUAR includes the clarifications noted in this comment.*

4. *The Draft AUAR discussion reflects only the information provided in plans adopted at the time of AUAR publication. The City agrees that residential land use is not desirable within the 70-75 DNL contour area; however the City is waiting for official resolution of this issue by the Wold-Chamberlain Field Joint Airport Zoning Board prior to making any revisions to the comprehensive land use plan for the Airport South District.*
5. *The Draft AUAR acknowledges the need for FAA airspace review of proposed developments (Table 4 in the Draft AUAR). The Final AUAR also includes a figure (Figure 3A) showing the approach slope elevations for Runway 17/35. There are no specific development plans proposed for the redevelopment parcels identified in the AUAR; therefore, no discussion of compatibility with air space restrictions can be included in the AUAR because there are no plans that can be used as a basis for comparison. All future development plans within the regulated approach area will be reviewed by City and MAC staff for conformance to air space restrictions.*
6. *The City recognizes that there will be changes in land use and land use controls based on the Wold-Chamberlain Field Joint Airport Zoning Board's jurisdiction to establish airspace obstruction regulations and land use safety zoning. No discussion of the allowable uses is included in the AUAR because the allowable uses have not yet been established. The Wold-Chamberlain Field Joint Airport Zoning Board is in the process of reviewing the allowable land uses within the state safety zone areas.*

When Wold-Chamberlain Field Joint Airport Zoning Board determines and adopts airspace obstruction regulations and land use safety zoning, these will be incorporated in a new City of Bloomington Airport South District land use plan and zoning controls, as necessary to reflect MSP Runway 17/35 currently under construction. Future development in the regulated safety zone areas will have to conform to the land use decisions made by the Board.

The AUAR development scenario is utilized for analysis and evaluation purposes to determine the extent of any anticipated environmental impacts and as a basis for a mitigation plan. The land uses assumed in the AUAR assume a 'worst case' (i.e. most intensive possible development) scenario for the purposes of analysis of environmental impacts for the AUAR. It is likely that the land uses allowed by Wold-Chamberlain Field Joint Airport Zoning Board will be the same or less intensive than the AUAR assumptions.

7. *The three issues suggested by the commentor for the addition to the summary of issues – land use compatibility with aircraft noise; airspace restrictions related to Runway 17/35; and land use restrictions related to Runway 17/35 – have been added to the Summary of Issues in Section 31 of the Final AUAR.*
8. *This information was added to the Final Mitigation Plan.*
9. *The three subjects suggested by the commentor for addition to the Mitigation Plan – land use compatibility with aircraft noise; airspace restrictions related to Runway 17/35; and land use restrictions related to Runway 17/35— have been added to the Section 3.0 of the Mitigation Plan.*

10. *The Mitigation Plan will be revised to indicate that City will work cooperatively with a MAC wildlife damage management biologist or planning staff in the review of storm water management alternatives, including instances in which ponding may be proposed, within the approach for MSP Runway 17/35.*

Minnesota Department of Natural Resources

1. *The techniques noted in the comment will be considered in site plan review as a means of reducing runoff volumes from development sites, on a case-by-case basis.*
2. *The comments provided on Item No. 11a and Item No. 11b relate to the potential for development in and adjacent to the Minnesota River bluff area. Spruce Shadows Farms (Kelley farm and homestead) is the only site of the six major Airport South redevelopment sites identified in the Airport South Land Use Scenario that includes a portion of the Minnesota River bluff. The City has received a development application for rezoning and preliminary plan approval; consideration of this application has been suspended until completion of the Airport South AUAR*

This application is subject to an extensive review process based on the City's planned development process. The planned development process involves the establishment of a preliminary development plan followed by the submittal of a final development plan for the project phases that will be built. The purpose of the preliminary development plan is "... to establish the intent, density and intensity of the proposed development." Approval of the preliminary development plan does not assure development of any of the specific building which are shown but establishes the basic parameters for future development. Individual buildings or improvements require final development plan approval prior to construction. The purpose of the final development plan "is to establish a detailed development plan for a proposed development."

Development review is site specific and must take into account the Minnesota River bluff characteristics unique to the property. While the Minnesota River bluff can be generally defined, the character of the bluff can vary considerably from the I-494 bridge in east Bloomington to the TH 169 (Bloomington Ferry) bridge in west Bloomington. Instrumental in the review are Bloomington's bluff overlay districts land use regulations (BP-1 and BP-2) and the Bluff Report District Plan. The Bluff Report District Plan is a district plan element of the City's Comprehensive Plan that includes eleven design guides as a basis for compatible development in the area. These regulations and guidelines were developed to protect the essential features of the bluff as a unique resource.

The Spruce Shadows Farms property extends from East Old Shakopee Road south and east along the Minnesota River Bluff. Steep bluff lands parallel the south and east property lines with three distinct ravine areas that define a boundary or edge between agricultural and residential use and the natural area of the bluff. The wooded area of the bluff is classified as upland woods. Agricultural use of the property, dating back to the 1930s, has resulted in a distinct change in the character of a major portion of the bluff on the farm with bluff woodland converted to pasture area.

The preliminary development plan submission includes an initial site plan indicating development on the bluff and within the boundaries of the BP-2 District. Specifically, four of the residential buildings encroach into the BP-2 District or below the 800 foot contour. Encroachment in the bluff area, and, specifically the wooded ravine areas, will be carefully reviewed at the preliminary development plan and final development plan stages. Erosion and sedimentation control, slope stabilization, re-vegetation and landscaping will be emphasized as measures to avoid impacts and to provide for site enhancements.

Based on the development review, the City will include conditions in order to comply with City bluff regulations and guidelines. Conditions may include alternative building alignments to limit grading and siting buildings away from steeply sloped areas and wooded ravines along the bluff. The City's 760-foot development prohibition will continue to be in effect and will need to be reflected in final development plans for individual buildings. As noted in the response to comment #1 above, the City will also consider incorporation of infiltration/LID surface water management measures into development plans as a means of reducing runoff volumes from development sites, on a case-by-case basis.

3. *Staff review of individual development projects within the Airport South AUAR area will take into consideration the expanded DNR Natural Heritage Program database search. The expanded database search will be a useful resource for the all of the sites within Airport South and in project reviews along the Minnesota River bluff west of Cedar Avenue (TH 77). It is noted that all of the development sites except the Spruce Shadows Farms (Kelley farm and homestead) property is classified in the Environmental Protection Element of the Comprehensive Plan as either urban with vegetation or urban without vegetation.*

Building design and exterior building material are related to the design guidelines contained in the Bluff Report District Plan. Building heights (with an emphasis on low profile buildings rather than a high-rise towers adjacent to the bluff) and the type of glass should provide a low risk habitat for migrating and year round resident birds species. With regard to birdstrike potential, the City's has not experienced known bird strike problems. For example, the City has not received reports of birdstrike problems with high rise office towers adjacent to Normandale Lake and the Hyland-Bush-Anderson Regional Park Reserve or at office buildings adjacent to the Minnesota Valley National Wildlife Refuge.

Mussel populations in the Minnesota River would not be impacted by the development proposed in the AUAR, since all development will be required to prepare and follow erosion/sedimentation control plans and provide water quality treatment (on-site and/or regional treatment). None of the Airport South District storm water outfalls discharges directly to the Minnesota River, therefore, direct impacts to mussels in the river would not result.

4. *As noted in the Draft AUAR, City and watershed district regulations require all new development/redevelopment projects to maintain surface water discharges at or below existing levels. Section 17 of the Final AUAR includes additional information and mitigation strategies for ASD storm water discharges, including additional discussion of on-site treatment. [It should be noted that the MAC comment letter on the Draft AUAR requested that the City not allow above the bluff storm water treatment ponding, due to concerns about potential bird/aircraft conflicts. See MAC comment/responses summary above.]*

Minnesota Historical Society

1. *Response #1: The City and developers of property with potential archaeological resources will work with the State Archaeologist, as noted in the Final AUAR.*

Response #2: The comment letter notes the authority and responsibility of the Office of the State Archaeologist with regard to areas that may include burials. The Kelley Farm site is the location of the Van Ness Mound Group. Future development of the property will have to take into consideration the protection and preservation of the existing mound group and the possibility of unrecorded or undocumented burials particularly along the Minnesota River bluff.

The City has worked most cooperatively with the Office of the State Archaeologist in the identification, protection and preservation of burial sites throughout Bloomington from the early 1980s to the present. The City's development review process in areas where there are burials or identified mound site, includes the preparation of mound preservation plans with the objective of site protection prior to building plan approval. Mound management plans have been coordinated through the Office of the State Archaeologist and the Minnesota Indian Affairs Council (MIAC).

With regard to architectural and historical resources within the area, City Staff is appreciative of the State Historical Preservation Office in the provision of background material on architectural and historical resources within Airport South and, specifically, Spruce Shadows farm. This information will be important in reviewing future development proposals.

City of Burnsville

1. *The roadway improvement assumptions used in the traffic analysis were based on lists of planned/programmed transportation improvements received from Mn/DOT, Hennepin County and Richfield staff, in addition to improvements planned by the City of Bloomington. It is standard practice to assume implementation of planned improvements when analyzing future traffic conditions, since it is not reasonable to assume that no improvements would be made to area roadways.*

2. *Mn/DOT publishes data from its loop detectors on a semi-annual basis; these data are based on single-day "snapshots" and may not be reflective of actual trends. For example, comparison of the ADT and peak hour data for eight key freeway segments in the vicinity of the Airport South area shows average declines of 2.9 percent, 3.3 percent and 1.4 percent for ADT, AM peak hour and PM peak hour, respectively from April 1999 to March 2001. Comparison of the 1998 and 2000 published AADT Mn/DOT flow maps shows an increase of 1.2 percent per year for those same segments. The TH 77 river crossing showed an increase of 0.5 percent per year and the I-35W bridge showed no increase. Our conclusion is that there is not sufficient evidence to warrant changing the traffic analysis in the AUAR based on the more recent data.*
3. *Sensitivity tests show that increasing or decreasing the congestion on I-35W or TH 77 bridges would not significantly change the relative distribution of new traffic generated by additional traffic from the Airport South Area. It is estimated that this new traffic would constitute less than two percent of the I-35W river crossing traffic and is therefore not significant. The AUAR discusses methods of mitigating traffic on the regional highway system, which includes the TH 77 and I-35W river crossings. I-35W is also expected to benefit from planned capacity improvements on TH 169.*

Weekday afternoon peak hour LOS analyses were included in the EIS/AUAR analysis (see Table 14 and Table 15 in the AUAR) reflecting the peak hour period condition. Based on this analysis, impacts and mitigation were discussed in the Draft AUAR.

4. *The 2300 vehicles per lane capacity (level of service 'E') is an adequate assumption for AUAR-level analysis. The 2300 vehicle value is based on loop detector counts, which do not distinguish vehicle classification. Furthermore, on a daily basis heavy commercial traffic accounts for 2.5 to 4.6 percent of the traffic on freeways adjacent to the study area – and a lower percent of traffic during the peak hour; these low numbers would lead to a very small difference between passenger car equivalents and actual vehicle counts. Finally, heavy commercial traffic in the region has grown at a slower rate than total traffic, meaning that the differences would be even smaller in the future.*
5. *As noted on page 53 of the Draft AUAR, the methodology used to estimate trip generation for the Mall of America expansion is described in detail in the "Mall of America Phase II Expansion Traffic Study" prepared by BRW, Inc. (June 26, 1999). A copy of this report is available from the City of Bloomington, upon request. The trip generation methodology and results were reviewed and accepted by the Technical Advisory Committee (TAC) for the EIS/AUAR studies, including staff from Mn/DOT and the Metropolitan Council, prior to being incorporated into the traffic analyses.*
6. *The traffic analysis does not state that there will be no impacts to the regional system. The potentially congested segments of the regional system for 2007 post-development conditions are identified in Table 16 of the AUAR. Mitigation for impacts is described in the 'Regional System Impacts and Mitigation' section (page 70 of the Draft AUAR), including regional improvements implemented prior to construction of Phase I of the Mall of America that included accommodation of Phase II trip generation.*

7. *As noted in the comment, the analysis summarized in the memo indicated that the proposed AUAR development would not increase water quality impacts to Long Meadow Lake. However, since the analyses performed for the EIS/AUAR indicated that there are some existing treatment deficiencies in the Airport South watershed, the recommendations made in the Memorandum were added as a summary of actions the City could take to reduce current and future loading to Long Meadow Lake. The City has acted on these recommendations, by conducting a storm water treatment feasibility study for the Airport South District that incorporates both on-site and regional treatment facilities. This study is nearing completion, and will be adopted as a sub-area study for inclusion in the City's Surface Water Management Plan. The recommendations of the study are summarized in the Final AUAR document.*
8. *The new line discussed on page 38 would be an internal storm sewer line within the Kelley development, not a new (i.e. increased capacity) system line to Hogback Pond. The existing system line has adequate capacity to convey additional water from the Kelley property, if needed.*
9. *No wetlands or protected waters are located within areas affected by the planned AUAR development; so, the table in Section 8 does not need to be revised.*

(Note: A separate City Storm Water Treatment Feasibility Study, referenced in the AUAR, recommended expansion of Pond C as one of a number of measures for improving treatment of storm water from the Airport South watershed. However, since the Feasibility Study will be incorporated into the City's Surface Water Management Plan, and is not part of the AUAR mitigation plan, the Table in Section 8 does not indicate the need for a protected waters permit in conjunction with Pond C expansion.)
10. *No information on the wetland and protected water bodies within the AUAR area was provided in the Draft AUAR since they are all located in the Minnesota River Valley, outside any of the areas proposed for development as described in the AUAR land use scenario. At the request of the commentor, additional information on these resources has been added to the Final AUAR. No wetlands were identified on the Kelley property, based on NWI and soil type mapping.*
11. *A separate City Storm Water Treatment Feasibility Study, referenced in the AUAR, recommended expansion of Pond C (DNR protected water 1086P) as one of a number of measures for improving treatment of storm water from the Airport South watershed. However, since the Feasibility Study will be incorporated into the City's Surface Water Management Plan, and is not part of the AUAR mitigation plan, the Table in Section 8 does not indicate the need for a protected waters permit in conjunction with Pond C expansion.*
12. *The total runoff volume data was provided to allow comparison of existing and projected increases in total runoff. However, since City and watershed management plans require rate control at new developments to keep discharge rates at or below existing levels, no data on discharge rates was provided, since there would be no impact. Methods and*

practices that will be utilized for rate control vary, depending on site conditions. Each development proposal will be reviewed on a case-by-case basis for conformance to the rate control requirement before being approved by the City.

13. *As noted on page 2 of the May 18, 2000 memorandum included in Appendix C of the Draft AUAR, the P-8 model was calibrated using a City of Minneapolis particle data file instead of the P-8 default values. Using the data from Minneapolis (a similarly urbanized area, including similar impervious surfaces and land uses) provided load estimates and load removal efficiencies that more accurately reflect conditions in the study area. The P-8 model was also calibrated using flow data collected in the ASD study area in 1999. This calibration is as important as the particle file calibration. The P-8 analyses indicated that post-development loads would be similar to existing loads, since the impervious surface and land uses would not change substantially as a result of the proposed development.*
14. *Since the AUAR is a 'planning-level' study, and there are not detailed storm water plans prepared for each of the properties proposed for development, the AUAR analyses assumed that new storm water ponds would be located on the AUAR development sites utilizing the assumptions described in Table 2 of the September 27, 2001 memorandum in Appendix C of the Draft AUAR.*
15. *Figure 11 in the Draft AUAR indicates the sub-watersheds that change flow distribution during high and low flow conditions. The City of Bloomington has detailed plans of the construction of the flow splitters that can be reviewed by the commentor upon request. These plans were used in setting up the P-8 modeling, to represent changes in flow volumes for low and high flow conditions.*
16. *The initial analysis (documented in the May 18, 2000 memorandum) focused on assessing the amount of change in pollutant loading between baseline and Build conditions. The 2 percent continuity error was identified as a means of understanding the potential differences (up to 4 percent) that may occur between the baseline and Build scenarios as a result of modeling variations. This led to the conclusion that 5 percent is a reasonable value for assessing potentially 'significant' differences between the two scenarios.*

The commentor is correct that the total loading to Long Meadow Lake is the important issue. Therefore, the AUAR discussion focused on total outflow loading (see Table 7 in the AUAR).

17. *The values are realistic, given the fact that the modeling included the subwatersheds west of TH 77 that drain to Pond C, a total of almost 4 square miles.*
18. *The bullets following the paragraph summarize the important issues. The remaining discussion explains why reductions occurred with the Build scenario, compared to the baseline: i.e. there is a decrease in impervious surface for Build compared to baseline and additional treatment ponds are provided at the Ceridian/Health Partners development property.*

19. *Section 2.3 of the memo (pages 8-9) describes efficiencies for baseline conditions, including acknowledgement that expectations are not met.*
20. *The AUAR development scenario is utilized for analysis and evaluation purposes to determine the extent of any anticipated environmental impacts and as a basis for a mitigation plan. Redevelopment proposals for individual sites may reflect a level of development intensity less than that considered in the AUAR land use scenario. This could be related to the airspace obstruction regulations and land use safety zoning established by the Wold-Chamberlain Field Joint Airport Zoning Board. If that happens, the AUAR assessment of different environmental impacts would remain valid as a "worst-case" scenario.*

Re-evaluation of the AUAR following the Board's decision will be conducted by City staff, and the findings of the re-evaluation will be distributed to all recipients of the Final AUAR. If no comment/ objections to the re-evaluation are received within 10 days (similar to the comment period for the Final AUAR), the re-evaluation findings will be adopted by the City Council.

Minnesota Pollution Control Agency

1. *Since the analyses performed for the AUAR indicated that there are some existing treatment deficiencies in the Airport South watershed, the City has conducted a storm water treatment feasibility study for the Airport South District (in addition to the AUAR studies) that incorporates both on-site and regional treatment facilities for development anticipated through year 2020. This study is nearing completion, and will be adopted as a sub-area study for inclusion in the City's Surface Water Management Plan. The recommendations of the study are summarized in the Final AUAR document.*

As stated in the AUAR, as development plans are submitted, City staff will work with developers to identify potential infiltration/LID measures that could be feasibly incorporated into development plans, on a case-by-case basis. The City will also be incorporating a variety of storm water management techniques in the future as part of implementation of the NPDES Phase II program.

U.S. Department of the Interior – Fish and Wildlife Service Twin Cities Field Office

(no comments requiring responses)

U.S. Department of the Interior – Fish and Wildlife Service Minnesota Valley National Wildlife Refuge

1. *Since the analyses performed for the AUAR indicated that there are some existing treatment deficiencies in the Airport South watershed that drains to the Minnesota Valley National Wildlife Refuge, the City has conducted a storm water treatment feasibility study for the Airport South District (in addition to the AUAR studies) that incorporates both on-site and regional treatment facilities for development anticipated through year*

2020. This study is nearing completion, and will be adopted as a sub-area study for inclusion in the City's Surface Water Management Plan. The recommendations of the study are summarized in the Final AUAR document, including a discussion of spill prevention.

2. *Surface water from a portion of the Kelly farm property that currently flows overland to the Minnesota River Valley was assumed in the storm water modeling to be routed to the storm sewer that is part of the Hogback Pond outfall conveyance system. If USFWS staff believe that this additional water – which would be pre-treated by treatment ponds on the Kelley property – would negatively impact Hogback Pond, City staff will work with USFWS to identify an alternative routing.*
3. *The P-8 model routing has been revised, and the corrected results are included in the Final AUAR.*
4. *Although the need for periodic water draw downs has not been raised as an issue previously, City staff are willing to work with USFWS staff to identify a strategy that could achieve both storm water treatment and wildlife management purposes.*

Lower Minnesota River Watershed District

1. *Since the Draft AUAR, the City has completed an additional study and coordination related to improving the overall storm water treatment performance for the Airport South drainage area, including assessment of Pond C. The recommendations of the study (including planned expansion of Pond C to improve its treatment performance) are included in the Final AUAR document.*
2. *Consistent with City of Bloomington and LMRWD storm water management guidelines, proposed development/redevelopment projects within Airport South District will include on-site provisions for rate control and, if feasible, for treatment. It should be noted that not all sites may be feasible for on-site ponding, due to size limitations and/or due to Metropolitan Airport Commission (MAC) concerns about ponding in the vicinity of airport runways (see MAC comment letter).*
3. *As stated in the AUAR, as development plans are submitted, City staff will work with developers to identify potential infiltration/LID measures that could be feasibly incorporated into development plans, on a case-by-case basis.*